



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda CITY COUNCIL

R. Steve Tumlin, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Johnny Sinclair, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, November 10, 2010

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Grif Chalfant, Ward 2 Council Member

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20101104 Public Power & Clean Water Week Poster Contest

Kim Holland, Water Department and Karmen Scarbro, Water Department, present the winners for Public Power & Clean Water Week Poster Contest from Park St. Elementary. The contest theme is "How Does Conserving Power or Water Help Save the Earth."

Water Conservation

Grand Prize Winner - Margarita Sanchez - Mrs. Staphylaris 3rd Grade
1st Place - Kyle Clarke - Mrs. Boatwright 5th Grade
2nd Place - Aldrich Garcia - Mrs. Worley 5th Grade
3rd Place - Jimmy Ramirez - Ms. Toles 3rd Grade

Power Conservation

Grand Prize Winner - Valentin Garcia - Mrs. Worley - 5th Grade
1st Place - Kimberly Salazar - Mrs. Faulk - 5th Grade

2nd Place - Sabina Ramos - Ms. Faulk - 5th Grade
3rd Place - Michelle Gallardo - Mr. Katz 4th Grade

20101194 Excalibur Award

The Technology Association of Georgia (TAG) and the TAG Business and Technology Alliance presented the "Excalibur Award" to the Management Information Systems (MIS) Department for their "innovative use of technology" and "their momentous accomplishment in Georgia's technology community" for their mobile data router. The Excalibur Award "showcases the best of Georgia's Technology" and the MIS Department was the only organization named as a finalist in two separate categories, Small to Mid-Sized Company Finalists and Creative Award Finalist categories and was a first place winner in the Small-Mid-Sized category.

20101096 Recognition of Marietta Police Department

Recognition of the following members of the Marietta Police Department for their outstanding efforts in the apprehension and arrest of a bank robber of Sun Trust Bank.

Officer Greg Mininger
Officer Stewart Biggers
Officer Ronny Sorrow
K-9 Officer Riddick
Detective Daniel Ohmann
Sgt. Patrick Bonito
Officer John Bain

20101169 Marietta Citizens' Police Academy

Graduates from the Marietta Citizens' Police Academy are

Angell Brown	Andrew Bushey
Roy Clark	Keayi Cora
Jan Curtis	Jim Curtis
Harriette Davis	Bruce Derr
Christopher Eckenroth	Jason Ferguson
Patricia Koutouzis	Anthony Le
Alan Moore	Leigha Moore
Sally Moreland	Judith Mucci
Julie Ann Rome	Gary Sullenger
Wendy Trippe	

PROCLAMATIONS:

20101242 Teacher of the Year

Proclamation recognizing Lynn McBride , from Lockheed Elementary School as the 2010-2011 Marietta City Schools Teacher of the Year.

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:**CONSENT AGENDA:**

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:*** 20101203 Regular Meeting - October 13, 2010**

Review and approval of the October 13, 2010 regular meeting minutes.

MAYOR'S APPOINTMENTS:**CITY COUNCIL APPOINTMENTS:****ORDINANCES:****20101060 Z2010-11 Security Exchange Bank 2012 Airport Court**

Z2010-11 [SPECIAL LAND USE PERMIT] SECURITY EXCHANGE BANK request a Special Land Use Permit for property located in Land Lot 06590, District 17, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia and being known as 2012 Airport Court in order to conduct automobile storage and wrecker services from this location. Ward 1.

Planning Commission recommends approval as stipulated. Vote: 6-0-0

Motion: Mr. Kinney made a motion to approve the SLUP and gravel variance with a stipulation, seconded by Mr. Diffley.

Stipulation: Property shall be used for the storage of operable cars only. Wrecked cars would not be brought to this location because of the potential for toxic fluid leakage to reach the adjacent stream.

PUBLIC HEARING (all parties are sworn in)

Council member Philip M. Goldstein disclosed that the applicant that is the subject of this rezoning is a tenant of his at 48 Waverly Way (tenant of Herbert S. Goldstein, FLP, Mary Goldstein and Philip M. Goldstein.)

Council member Philip M. Goldstein abstaining.

RESOLUTIONS:**CITY ATTORNEY'S REPORT:***** 20101191 Denial of Claim**

Denial of a claim of Bruce Shaver.

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:****1. Economic/Community Development: Grif Chalfant, Chairperson****2. Finance/Investment: Annette Lewis, Chairperson***** 20101145 Donation from Team Nissan**

Approval of an Ordinance amending the Fiscal Year 2011 Tree Preservation Fund budget to receive and appropriate a \$6,233 donation from Team Nissan.

*** 20101158 Franklin Road Early Learning Initiative**

Approval of Ordinance amending the Fiscal Year 2011 Weed and Seed Fund to receive and appropriate \$4,400.00 from United Way of Metropolitan Atlanta to support the Franklin Road Early Learning Program.

*** 20101164 Fund Transfer**

Approval of an Ordinance amending the Fiscal Year 2011 Budget to transfer \$50,000 from the Parks and Recreation Department to the Economic Development Department to use for new marketing and other city tourism promotions as approved by the City Manager.

Council member Philip M. Goldstein voting against.

*** 20101207 2010 Marietta Pilgrimage Christmas Tour**

Motion approving city sponsorship of the 2010 Marietta Pilgrimage Christmas Tour in the amount of \$2,500 to be funded from the General Fund with funds set aside to use for new marketing and other city tourism promotions.

Council members Jim King and Philip M. Goldsten voting against.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson*** 20101144 Envision Marietta 5-Year Update**

Approval of a Resolution for the 5-year update for the Envision Marietta Livable Center Initiative (LCI).

*** 20101160 Certificate of Approval**

Approval of an Ordinance amending Marietta Code Sections 7-8-8-050 and 7-8-8-090 as attached.

Council member Philip M. Goldstein owns properties and/or entities that own properties in the Downtown District that is dealt with by the Marietta Historic Board of Review. Other family members and relatives of Philip M. Goldstein also own properties in the Downtown District that is dealt with by the Marietta Historic Board of Review. The proposed district-wide change for new requests would affect the process that all property owners in the district that are subject to the rules and regulations and requesting demolition permit for historic property have to comply with.

Council member Philip M. Goldstein voting against.

*** 20101228 Certificate of Appropriateness**

Approval of an Ordinance amending Marietta City Code Section 7-8-9-050 and 7-8-9-060 as attached.

Council member Philip M. Goldstein voting against.

*** 20101166 Proposed 2011 Committee and Council Meeting Calendar**

Motion to approve the proposed 2011 Committee and Council Meeting Calendar.

4. Parks, Recreation and Tourism: Johnny Sinclair, Chairperson**5. Personnel/Insurance: Van Pearlberg, Chairperson****6. Public Safety Committee: Anthony Coleman, Chairperson****7. Public Works Committee: Jim King, Chairperson***** 20101195 Installation of "No Parking" signs**

Motion to place a pair of no-parking signs on the Eastern side of Mountain View Drive from Maple Ave. running up approximately ½ the block to Cascade Drive. Posted times will be 7:30-8:30 a.m. and 3:00-4:00 p.m.

*** 20101154 2010 Safe Routes to School**

Motion approving projects for the 2010 Safe Routes to School application, as presented.

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

20101041 2011 SPLOST Project List

Motion approving the attached 2011 SPLOST project list.

Council member Rev. Anthony Coleman voting against.

20101239 2011 Draft SPLOST Intergovernmental Agreement

Motion approving the 2011 Draft SPLOST Intergovernmental Agreement for the use and distribution of proceeds from the 2011 SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) for capital outlay projects from Cobb County.

*** 20101187 512 Ramona Street**

Motion authorizing acquisition of right of way and easements at 512 Ramona Street, in exchange for \$16,750.00, from Thomas M. and Joy H. O'Malley for the purpose of Fairground Street Improvements.

20101142 Renewal of Lease

Motion approving the lease renewal between the Downtown Marietta Development Authority and the city of Marietta for 18 Whitlock Avenue for use by the Gone with the Wind Museum.

*** 20101058 Civil Service Board Election**

Motion approving the Certified Election results for the Marietta Civil Service Board Post 4 vacancy, re-electing the incumbent Lawrence (Larry) A. Panetta for a term of three years, effective January 1, 2011 and expiring on December 31, 2013.

* **20101204 BLW Actions of November 8, 2010**

Approval of the November 8, 2010 actions and minutes of the Marietta Board of Lights and Water, with the exception of agenda item 20101208, recommendation by the Municipal Competitive Trust Ad hoc Committee to divert \$2 million to an extension fund account in an effort to extend the funds of the Municipal Trust passed 2017. This amount would be reviewed on an annual basis and adjusted accordingly.

ADJOURNMENT: